

Message Text

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ACTION SMI-01

INFO OCT-01 EUR-12 ISO-00 ABF-01 FSE-00 OES-05 /020 W

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R 071603Z MAR 75

FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 2179

INFO AMCONSUL ZAGREB

UNCLAS BELGRADE 1051

E.O. 11652: N/A

TAGS: OSCI, YO

SUBJECT: SFCP/SMITHSONIAN - SALE OF R/V PHYKOS

REF: (A) BELGRADE 877, (B) BELGRADE 884, (C) BELGRADE 946

1. LOCAL ATTORNEY INFORMS SCIATT THAT FOLLOWING DOCUMENTS REQUIRED TO SELL PHYKOS IN YUGOSLAVIA TO GERMAN BUYER.

A) SHIP'S REGISTRY BOOK SPECIFICALLY INCLUDING DESCRIPTION SHEET, OWNERSHIP PAGE AND STATEMENT OF ENCUMBRANCES OR LIENS. (INKOBROD INFORMS SCIATT THAT ALL PHYKOS DOCUMENTS RETURNED TO SMITHSONIAN IN WASHINGTON);

B) NEW LETTER FROM SMITHSONIAN SECRETARY RIPLEY TO SCIATT MILLS AUTHORIZING LATTER TO SELL PHYKOS TO PFEUFFER OR YET UNKNWON COMPANY. (EMBASSY DOUBTS THAT PFEUFFER WILLING OR EVEN ABLE TO HOLD SMITHSONIAN HARMLESS FROM UNFORSEEN LIABILITIES AS IN CASE OF INKOBROD).

2. IN ADDITION, EMBASSY REQUIRES (A) NAME OF CLASSIFICATION SOCIETY WITH WHICH PHYKOS REGISTERED (E.G. LLOYD'S REGISTER) AND STATEMENT OF WHEN PHYKOS LAST PASSED CLASS TEST.

(B) ANY SPECIAL CLAUSES WHICH SMITHSONIAN DESIRES IN SALES CONTRACT.

3. EMBASSY PREPARED TO PROCEED WITH SALE OF PHYKOS ON "BEST EFFORT" BASIS. HOWEVER, EMBASSY MUST RELY TOTALLY ON LOCAL ATTOR-
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NEY FOR CONFORMANCE WITH LAW. IN THESE CIRCUMSTANCES, SMITHSONIAN

IS REQUESTED TO HOLD DEPARTMENT OF STATE AND EMBASSY HARMLESS FROM ANY LIABILITY RESULTING FROM INADVERTENT ERROR. EMBASSY MUST HAVE POSITIVE RESPONSE TO THIS BEFORE SALE CAN BE CONSUMMATED BY SCIATT.

4. FOR CLARIFICATION OF PARA 1 AND 2 ABOVE SMITHSONIAN LEGAL COUNSEL CAN (BETWEEN 5 AND 7 PM YUGOSLAV TIME) TELEPHONE ATTORNEY EMBASSY NOW DEALING WITH. HE IS MR. VOJISLAV UCOVIC IN DUBROVNIK, AREA CODE 050 TELEPHONE 23-858. HIS ENGLISH, INCLUDING LEGAL TERMS, IS VERY GOOD BUT SLOW.

5. EMBASSY HAS NOT YET RECEIVED NOTIFICATION OF RECEIPT OF PFEUFFER LETTER OF CREDIT DESCRIBED REF (C) AND THUS DOES NOT KNOW TIME LIMIT. HOWEVER, WE STRONGLY SUGGEST EARLIEST POSSIBLE TRANSMISSION OF DOCUMENTS REQUIRED FOR SALE. IF INKOBROD WISHES TO BE DIFFICULT THEY MAY SEEK TO ADD FEBRUARY AND MARCH CHARGES TO OUTSTANDING BILL FOR PHYKOS BRINGING TOTAL TO 50,000 DOLLARS PLUS UCOVIC FEE WHICH ESTIMATED AT 500 DOLLARS. QUICKEST TRANSMISSION DOCUMENTS WOULD BE TO SEND ORIGINALS BY DIPLOMATIC POUCH AND SIMULTANEOUSLY SEND CERTIFIED COPIES BY ORDINARY INTERNATIONAL AIRMAIL. LATTER WOULD PROBABLY SAVE ONE WEEK (WHICH EQUALS 500 DOLLARS IN PHYKOS BILL).
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 07 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BELGRA01051
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750083-0157
From: BELGRADE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750374/aaaacobl.tel
Line Count: 85
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SMI
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 BELGRADE 877, 75 BELGRADE 884, 75 BELGRADE 946
Review Action: RELEASED, APPROVED
Review Authority: CollinP0
Review Comment: n/a
Review Content Flags:
Review Date: 28 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 MAY 2003 by RuthemTJ>; APPROVED <26 FEB 2004 by CollinP0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SFCP/SMITHSONIAN - SALE OF R/V PHYKOS
TAGS: OSCI, YO
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006